

DELEGATE GILCHRIST: In order to protect the reputation of Allegany County against the defamation perhaps by Delegate Marion on our not having submitted information as to the number of committing magistrates, the reason there is no information is because in Allegany County there are no committing magistrates.

THE CHAIRMAN: Thank you, Delegate Gilchrist.

For what purpose does Delegate L. Taylor rise?

DELEGATE L. TAYLOR: Point of information.

THE CHAIRMAN: State your question.

DELEGATE L. TAYLOR: I am a little in doubt on the minority's recommendation. It seems they are saying this appointment of commissioners should be under the merit system.

I am not clear on this particular matter. I do not know how to vote.

THE CHAIRMAN: Delegate Taylor, I think the debate time has expired. I think the Chair can say to you that as I understand the point of the minority, there is no provision in their amendment for appointment under the merit system but if the appointment is by or pursuant to law, I take it their point is that the legislature in passing the law could provide that the appointment be under the merit system. Is that a fair statement, Delegate Kahl? I ask her because she made the reference to which Delegate Taylor mentioned.

DELEGATE JOHNSON: Yes, Mr. Chairman, that is essentially correct. We sincerely believe—

THE CHAIRMAN: I do not think I can permit you further debate. I think I have extended it far enough by permitting the answer.

DELEGATE L. TAYLOR: Delegate Hargrove was saying that the system in Baltimore allows for a merit system and appointment of the staff by the judge. Is this correct?

Is this what he is saying?

THE CHAIRMAN: I understood Delegate Hargrove to say that the Constitution authorized the chief judge of the people's court to appoint clerical personnel in that court and the constitutional amendment providing for the municipal court authorized the chief judge to appoint clerical per-

sonnel in that court, but that as a matter of fact, clerical personnel in both courts serve under the merit system. Is that correct, Delegate Hargrove?

DELEGATE HARGROVE: That is correct.

THE CHAIRMAN: Before taking the vote on the question, let me make one statement to Delegate Chabot who seems to have disappeared.

Delegate Chabot sent me a note posing a parliamentary inquiry as to an amendment which he desired to offer which could perhaps have been put in by way of an amendment to this amendment or in some other way.

I think it would be most confusing to put it in as an amendment to this amendment. I think it is possible that his amendment could be considered regardless of which way the vote on Amendment No. 13 goes. I will afford him an opportunity at the proper time.

The question arises on Amendment No. 13 to Minority Report JB-1. A vote Aye is a vote in favor of Amendment No. 13. A vote No is a vote against. Cast your votes.

Have all delegates voted? Does any delegate desire to change his vote?

*(There was no response.)*

The clerk will record the vote.

There being 36 votes in the affirmative, and 93 in the negative, the motion is lost. The amendment is rejected.

The pages will please distribute Amendment AN. The Clerk will read the Amendment. It will be numbered Amendment No. 14.

READING CLERK: Amendment No. 14 to Committee Recommendation JB-1, by Delegate Grant: on page 4 section 5.11 Commissioners strike out the last sentence on lines 1 through 4 and insert in lieu thereof the following: "Commissioners may exercise such power as prescribed by rule."

THE CHAIRMAN: Is the amendment seconded?

*(Whereupon, the amendment was duly seconded.)*

THE CHAIRMAN: The amendment is seconded.

The Chair recognizes Delegate Grant to speak to the amendment.